

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- September 14, 1966

Appeal No. 8901 Clarence Robinson, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on September 20, 1966.

EFFECTIVE DATE OF ORDER -- Dec. 13, 1966

ORDERED:

That the appeal for a variance from the side yard requirements of the R-5-A District to permit erection of a 2-story rear addition to single-family dwelling at 116 Kenilworth Avenue, NE., lot 64, square S-5000, be granted.

FINDINGS OF FACT:

(1) Appellant's lot is improved with a two story single family brick dwelling with a side yard of five feet.

(2) The lot has a 21.83 foot frontage on Kenilworth Avenue and a depth of 90 feet and contains 1,964.70 square feet of land.

(3) Appellant proposes to erect a two story rear addition in order to increase the living space for the family by adding additional bedrooms.

(4) By letter dated August 12, 1966, Mr. J.P. Stoddard, Chief, Construction Section, informed the appellant through his contractor, Weatheral Corp., that a "survey discloses that the south wall of the subject addition is over the property line by approximately five (5) inches, and the width of the addition is sixteen (16) feet, nin (9) inches, leaving a five (5) foot north side yard."

"The approved plans and plat show the south wall to be on the property line, with the width of the addition being thirteen (13) feet, with an eight (8) foot north side yard.

(5) The survey was made by the D.C. Surveyor on August 9, 1966.

(6) Appellant proposes to maintain a five (5) foot side yard.

(7) No opposition to the granting of this appeal was registered at the public hearing. The adjoining property owner expressed concern that the proposed addition extends beyond the property line but did not object to the addition being on the line.

OPINION:

The Board is of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that the erection of the addition will not substantially increase the lot occupancy nor be inconsistent with the present side yard for the structure. The addition will be consistent with the present use of the property and will have no adverse affect upon nearby property.

Further, the Board is of the opinion that the requested relief can be granted without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.